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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,457	06/01/2006	Niaz Irekovich Akishev	290319US41X PCT	2174
22850	7590	10/23/2009	EXAMINER	
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314			GOFF II, JOHN L	
			ART UNIT	PAPER NUMBER
			1791	
			NOTIFICATION DATE	DELIVERY MODE
			10/23/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/581,457	AKISHEV ET AL.	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 October 2009.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 June 2006 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ .  | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/8/09 has been entered.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 102***

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as anticipated by Sumerak (U.S. Patent 5,556,496).  
Sumerak discloses a method for production of a core considered a sandwich panel core from composites comprising placing/providing a prepreg formed from a blank of a reinforcing material impregnated with binder along a full surface of the blank, e.g. a resin impregnated tape, hardening the binder by hot-pressing to obtain a plane semi finished-blank comprising a set of substantially rigid parts detached from each other and having a shape of core sides wherein heat for the hardening of the binder in the prepreg is applied within boundaries of prepreg parts, i.e. the substantially rigid parts, and cooling the prepreg between the parts to create conditions slowing down the hardening along the prepreg between the parts and form uncured areas,

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deforming the semifinished blank to obtain a core relief with required geometries, and final hardening of the binder in the uncured areas (Figure 1 and Column 4, lines 29-43 and 57-58 and Column 7, lines 55-67 and Column 8, lines 1-4 and Column 9, lines 30-67 and Column 10, lines 5-41 and Column 11, lines 44-63 and 64-67 and Column 12, lines 1-9).

Regarding claim 2, Sumerak teaches the width of the prepreg between the parts having the shape of core sides, i.e. the uncured areas, is of any desired length (Column 9, lines 59-65). Sumerak further teaches forming two bends in the uncured area (Figure 5) such that the width of the prepreg between the parts having the form of the core ridges is not less than double the radius of the blank material bending at these parts.

Regarding claims 3 and 4, Sumerak teaches the impregnated blank is a reinforcing fabric including glass fabric or carbon fabric (Column 11, lines 44-47 and 56-63).

***Claim Rejections - 35 USC § 103***

4. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumerak in view of Strachan (GB 2259044).

Sumerak is described above in full detail, it being noted Sumerak is forming a pultruded prepreg article. Sumerak does not specifically describe the final hardening includes assembling a core skin with the prepreg via a film, i.e. thin layer or coating, adhesive. It was known in the art that pultruded articles for example of the type taught by Sumerak are finished with an outer core-skin adhered to the article with a thin layer or coating, i.e. film, of curable adhesive to form the article with a decorative appearance as shown by Strachan (page 1, first paragraph and page 3, first full paragraph and page 4, first full paragraph and page 9, second full paragraph). It would

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have been obvious to one of ordinary skill in the art at the time the invention was made to include in the final hardening taught by Sumerak a step of assembling the prepreg with an outer core-skin including a curable adhesive film as shown by Strachan such that following final hardening a decorative product is produced.

***Response to Arguments***

5. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

In view of applicants amendment the rejections over Desyatov et al. (RU 2056747) are withdrawn. The rejections over Lewis et al. (U.S. Patent 4,347,287) are withdrawn in view of Sumerak as Sumerak specifically teaches *only* heating the prepreg within boundaries of the parts to be hardened in the first hardening step. However, it is noted the claims do not exclude heating outside of the boundaries.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John L. Goff** whose telephone number is **(571)272-1216**. The examiner can normally be reached on M-F (7:15 AM - 3:45 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John L. Goff/  
Primary Examiner, Art Unit 1791